## Re: Wallace Yard and Spur Lines Site - Final CD and SOW

Clifford Villa to: Wurtzler, Gail

08/10/2009 02:21 PM

craig.trueblood, Darrell.Early, denise.lietz, "Lawrence, Robert",

Sarah. Himmelhoch, Ed Moreen

Bcc: Teddy Ryerson, Cyndy Mackey, Dan Opalski

Gail: As discussed today, I made each of your final edits suggested below, plus one edit to the subhead of Para. 11 (striking "Yard"). Attached immediately below, CD and SOW incorporating these final, non-material edits.

As I mentioned, EPA learned last week that the CD has been signed by DOJ. EPA is presently positioned to sign the CD as soon as we receive signatures from UPRR and BNSF. I also expect that Darrell will be ready to sign this week on behalf of DEQ.

On the other hand, I also understand that DOJ has a civil complaint approved for filing in this case, to support the interests of EPA either way.

For now, I will continue to review other CD appendices and attachments, to help move this whole package forward to the best of my ability. I expect you and others on behalf of the Railroads will do the same.

Thanks.

Cliff Villa **Assistant Regional Counsel** U.S. EPA Region 10





CD - final.pdf

"Wurtzler, Gail"

Cliff.

08/07/2009 09:01:47 AM



"Wurtzler, Gail" <Gail.Wurtzler@dgslaw.com> 08/07/2009 09:05 AM

To Clifford Villa/R10/USEPA/US@EPA

cc "Lawrence, Robert" < Robert. Lawrence@dgslaw.com>, <craig.trueblood@klgates.com>, <denise.lietz@klgates.com>, <Darrell.Early@deq.idaho.gov>, <Sarah.Himmelhoch@usdoj.gov>

Subject Wallace Yard and Spur Lines Site - Final CD and SOW

Cliff.

Earlier this week, I looked at the final versions of the CD and SOW that you sent on July 31. I noted a few minor corrections:

- SOW The word "areas" was inadvertently dropped when the change 1. in section 2.1.7.5 on page 8 was made. A PDF of page 8 showing this correction is attached.
- CD page 10 the insert "of CERCLA" was put in the wrong place.

- 3. CD page 13 in light of your determination that the word "residential" should not be inserted in the definition of BPRP on page 3, paragraph L, we need to be clear that the BPRP work the railroads will fund is for residential yards. We should add the word "residential" on page 13 in paragraph 11 and 11.a as shown on the attached PDF of that page.
- 4. CD page 26 period needs to be added at the end of the first sentence in paragraph 48.

PDFs of these CD pages are attached.

Please call or email if you wish to discuss or if the PDFs with these comments/edits are not clear. Thank you.

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sow\_corr.pdf\_cd.pdf